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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Attorney Docket No.: 2873-US

Peter Robert Baum and William Christian Fanslow III

Serial No.: 09/778,187

Group Art Unit: 1644

Filed: February 06, 2001

Examiner: Roark, J. H.

For: MOLECULES DESIGNATED LDCAM

DECLARATION UNDER 37 C.F.R. §1.131

Commissioner of Patents
P. O. Box 1450
Alexandria VA, 22313-1450

Sir:

We, the undersigned, hereby declare that:

1. We are the same Peter Robert Baum and William Christian Fanslow III named as co-inventors on the above-identified application. Prior to December 03, 1997, a nucleic acid encoding human LDCAM was isolated, the sequence of said nucleic acid was determined, and the amino acid sequence encoded by said nucleic acid was deduced, in the United States of America by us, the co-inventors named in the subject application, as evidenced by the Exhibit enclosed herewith.

2. The nucleic acid and amino acid sequence data presented in the Exhibit were obtained and the works that generated those data were completed in this country prior to December 03, 1997. The amino acid sequence presented in the Exhibit (HuB7L1-CoR) is identical to SEQ ID NO: 2 of the instant application, which is the amino acid sequence of human LDCAM.

3. We therefore submit that this showing of facts is sufficient in character and weight as to establish that the invention of this application was reduced to practice prior to December 03, 1997, the earliest possible 102(e) date of the cited publication, U.S. Patent Application Publication US 2002/0198147 A1.

4. We further declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

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Declaration under 37 C.F.R. § 1.131

2873-US

under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

5.22.03

Date

Peter Robert Baum

Peter Robert Baum

5-23-03

Date

William Christian Fanslow III

William Christian Fanslow III

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